

REMARKS

I. Status of the application

Claims 1-18 are pending. All claims have been rejected by the Examiner. Claims 1, 9, and 13 have been amended above. Support for the amendments may be found at, at least, paragraph 0029, page 6, lines 12-14 and the Examples. No new matter is added. Entry is requested.

II. Rejection under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-4 and 6-7 as being anticipated by Resasco et al. (U.S. Patent No. 6,413,487 B1) under 35 U.S.C. § 102(e). Applicants traverse this rejection and request withdrawal of same for at least the following reasons.

Resasco teaches and suggests a method of preparing carbon nanotubes which is conducted only under high or elevated reaction pressures. Resasco defines “high pressure” or “elevated pressure” as ranging “from about 1 atm to about 40 atm” or about 760 torr to about 30,400 torr. Col. 4, lines 11-15. All of the reaction steps described in Resasco are conducted at high or elevated pressures. See, for example, col. 6, lines 62-65, col. 8, lines 59-63, col. 9, lines 52, 58, col. 10, lines 36-46. The reactor utilized by Resasco must be constructed to withstand the high pressure process conditions, col. 9, lines 34-37. The claims of Resasco are directed to an process of catalytically forming the nanotubes under elevated pressure. See, for instance, col. 14, lines 59-65, col. 16, lines 4-10. There is no teaching or suggestion in Resasco that conducting the reaction at about 600 torr (0.79 atm), as in the Applicant’s process, would produce acceptable carbon nanotubes.

Withdrawal of this rejection is in order and requested.

III. Rejection under 35 U.S.C. § 103(a)

The Examiner has rejected claims 5 and 8-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,413,487 B1 (“Resasco”) as applied above.

For the same reasons as set forth above, the Resasco reference would not have rendered obvious the present invention to one of ordinary skill in the art at the time of the present invention. Withdrawal of this rejection is requested.

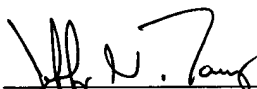
IV. Conclusion

Applicants respectfully request reconsideration of this application in view of the above amendment and remarks.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

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